

OFFICIAL COUNCIL PROCEEDINGS

A regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on November 18, 2013, and called to order by Mayor Knaack at 7:00 p.m. in the City Council Chambers. The following members were present: Luther, Traxler, Sutherland, Dickmann, Riedel, Schwebs, Brown, Solberg, Cruz, Beety and Mercil.

MOTION was made by Cruz, seconded by Mercil, and carried to approve the minutes of the November 4, 2013 special meeting and the regular meeting.

PUBLIC HEARING – Mayor Knaack announced time for the public hearing regarding establishing the 2014 General Fund Operating Budget and Tax Levy.

Cindy Quilling, President of the Mabel Tainter, announced that she was available for questions regarding the Tainter Building subsidy request.

Bruce Trimble spoke in support of the secondhand article dealer and the secondhand jewelry dealer application from Bonnie Trimble and Mary Gensen for their proposed business at 222 Main Street East (Estate Emporium).

Dennis Polzin, representing CBIZ Benefits & Insurance Services, Inc., thanked the City for the opportunity to provide benefit consulting services, and he stated that his company (CBIZ) will work very hard if selected to provide the 2014 insurance broker services for the city's health / dental insurance program. Hearing closed.

PUBLIC COMMENTS – Jim Welch, Dr. Joe Gessner and Jean Davis encouraged the Council to provide winter maintenance on the Cedar Falls Road multi-purpose trail.

Mike Dektas, representing the Miller Valentine Group, announced that he was available for questions relating to the rezoning request for the proposed development located southeast of the intersection of 10th Avenue East and 17th Avenue SE.

Mary Bygd asked the Council to postpone action on the request from BlackOaks Restaurant LLC for a transfer of the Class "B" Beer license and "Class B" Liquor license at 1705 Plaza Drive until more information can be gathered. Mrs. Bygd stated that she would like to open a wine bar in the downtown area.

John Spare, representing Spare Investments III LLC, announced that he was available for questions relating to his application for a Class "A" Beer license at 2302 South Broadway.

Pat Thibado updated the Council on the proposal for a future pet cemetery at the Evergreen Cemetery site, and he clarified that they are not spending any Evergreen Cemetery Association funds on the proposed pet cemetery.

Matt Carter, representing the Dunn County Historical Society, announced that he was available for questions relating to the Historical Society subsidy request.

Stephen Weber, representing BlackOaks Restaurant, announced that he was available for questions regarding his application for a class b beer and liquor license at 1705 Plaza Drive.

MOTION to adopt a mill rate of \$6.98 per thousand dollars of assessed valuation which includes an estimated contingency of \$235,866 was made by Schwebs, seconded by Solberg, and carried on the following roll call vote: Ayes: Luther, Traxler, Sutherland, Dickmann, Schwebs, Solberg and Cruz. Noes: Riedel, Brown, Beety and Mercil.

ORDINANCE appropriating the necessary funds for the operation of the government and administration of the City of Menomonie for the year 2014 (Tax Levy of \$6,112,000) was introduced by Schwebs. MOTION to waive the first reading of the ordinance was made by Cruz, seconded by Solberg, and carried. MOTION to waive the second reading was made by Traxler, seconded by Luther, and

carried. MOTION to adopt the ordinance was made by Schwebs, seconded by Solberg, and carried unanimously on roll call vote.

MOTION to approve a subsidy of \$12,100 to Evergreen Cemetery Association by redirecting 6% from each of the organizations that have been approved to receive a 2014 subsidy, except the Dunn County Humane Society, was made by Cruz, seconded by Riedel, and lost on the following roll call vote: Ayes: Riedel and Cruz. Noes: Luther, Traxler, Sutherland, Dickmann, Schwebs, Brown, Solberg, Beety and Mercil.

MOTION was made Solberg, seconded by Schwebs, and carried to suspend the rules to hear from Matt Carter of the Dunn County Historical Society. Mr. Carter explained the current financial status of the Historical Society.

MOTION to approve a subsidy of \$6,000 to Evergreen Cemetery Association was made by Schwebs, seconded by Cruz, and carried on roll call vote with Riedel and Brown opposed.

ORDINANCE regarding the licensing of homeless shelter facilities was introduced by Traxler. MOTION to waive the first reading was made by Brown, seconded by Beety, and carried. MOTION to waive the second reading was made by Beety, seconded by Brown, and carried. MOTION to adopt the ordinance was made by Traxler, seconded by Luther, and carried with Solberg and Mercil opposed.

REVIEW of the 2014 insurance broker services. MOTION was made by Cruz, seconded by Schwebs, and carried to hear from Jack Jeatran of Jeatran Associates. Mr. Jeatran provided an overview of the proposal that he submitted for 2014 health insurance services.

MOTION to accept the health insurance proposal for 2014 submitted by CBIZ Benefits & Insurance Services, Inc. was made by Brown, seconded by Mercil, and lost on the following roll call vote: Ayes: Riedel, Brown, Solberg and Mercil. Noes: Luther, Traxler, Sutherland, Dickmann, Schwebs, Cruz and Beety

MOTION to accept the health insurance proposal for 2014 submitted by Jeatran Associates was made by Schwebs and seconded by Traxler.

MOTION was made by Brown, seconded by Solberg, and carried to suspend the rules to hear from Dennis Polzin of CBIZ Benefits & Insurance Services. Mr. Polzin provided an overview of the proposal that he submitted for health insurance services.

ORIGINAL MOTION to accept the proposal from Jeatran Associates carried on roll call vote with Riedel and Brown opposed.

ORDINANCE rezoning property located southeast of the intersection of 10th Avenue E. and 17th Avenue SE (Miller Valentine Group, represented by Michael Dektas) from Single Family Residential District to Multiple-Family Residential District and Open Development-Conservancy District was introduced by Brown.

MOTION to refer the ordinance to the Plan Commission was made by Brown, seconded by Riedel and carried.

MOTION was made by Mercil, seconded by Solberg, and carried to approve the request from the American Cancer Society to conduct a Relay for Life event in Wilson Park on September 5, 2014, and approve waiver of the park reservation fee.

BIDS were received for a 1997 Wastewater pick-up truck as follows: David Andregg - \$676.00; David Horst - \$506.00; Jim Nuutinen - \$757.00. MOTION was made by Solberg, seconded by Traxler, and carried unanimously on roll call vote to accept the bid of \$757.00 from Jim Nuutinen.

MOTION to maintain the Cedar Falls Road multi-purpose trail for the next five years (through Nov. 2018) was made by Brown, seconded by Cruz, and carried on roll call vote with Riedel opposed and Luther abstaining.

MOTION was made by Dickmann, seconded by Solberg, and carried unanimously on roll call vote to approve the write-off of the following NSF checks, stale dated checks, uncollectible invoices and 2011 personal property taxes:

Outstanding NSF checks

<u>DATE</u>	<u>CK #</u>	<u>NAME</u>	<u>AMOUNT</u>
05/03/10	1558	Michael T. & Jaime A. Hess	\$28.00
01/20/10	1042	Jessica H. Moret & Sonja J. Kern	\$60.00
11/09/10	1023	Michael R. Stanley	\$10.00
11/10/09	099	Daniel D. Strong	\$63.13
09/29/10	1115	Tammy M. Thurber	\$60.00
08/13/10	1030	Lauren C. Tilseth	\$31.65

Stale Dated Checks

<u>DATE</u>	<u>CK #</u>	<u>NAME</u>	<u>AMOUNT</u>
02/15/10	42504	Treasurer Battalion Chief	\$45.00
10/18/10	44380	Roxanne Close	\$ 5.00
05/31/11	46286	Charles Bowe	\$ 5.00
06/06/11	46331	GE Healthcare	\$ 5.00
10/26/11	47440	Humphrey Gilbert	\$ 5.00
10/31/11	47471	Menomonie Firefighter Assoc.	\$180.00
04/09/12	48800	Thomas Brigl	\$10.00
07/02/12	49407	Troy Dawson	\$ 5.00
10/09/12	50195	Troy Dawson	\$30.00

Uncollectible Invoices

<u>DATE</u>	<u>CK #</u>	<u>NAME</u>	<u>AMOUNT</u>
09/16/13	4887	Joshua Bahling	\$159.87
06/13/13	4795	Dunn County Sheriff	\$401.13
10/10/12	4533	Anthony Foslid	\$342.83
05/17/12	4445	Ricky Truckey	\$ 28.87
02/01/13	4692	Lisa Whiting	\$ 28.64

Uncollectible Personal Property Tax

<u>NAME OF BUSINESS</u>	<u>AMOUNT</u>
Ventures Education	\$ 43.99

BUDGET TRANSFERS – MOTION was made by Schwebs, seconded by Brown, and carried unanimously on roll call vote to approve the following budget transfers:

- \$1,500 from Street Maintenance 01.54310.451 Vehicle Fuel to 01.54310.471 Patching;
- \$1, 300 from Fire 01.52310.439 Schools and Conferences to 01.52310.211 Physical Exams;
- \$4,800 from Fire 01.52310.242 Radio Maintenance, and
\$2,200 from Fire 01.52310.724 HazMat
(for a total of \$7,000) to Fire 01.52310.241 Vehicle Repair

COMMUNICATIONS AND MISCELLANEOUS BUSINESS – The agenda pack included a letter of resignation from Charles Brenner from the Board of Zoning Appeals.

CLAIMS - MOTION was made by Solberg, seconded by Dickmann, and carried unanimously on roll call vote to approve payment of the following claims:

Claims

Chippewa Valley Newspaper	\$ 443.37
Dunn County Highway Dept.	415.09
Emergency Medical Products	989.80
Google	181.50
Grainger	76.44
Halverson Bros.	2.25
L. W. Allen	1,585.00
Lighting Design Solutions LLC	429.90
Manpower	1,603.97
Mayo Clinic Health System	1,040.00
McMaster-Carr	20.09
Menomonie Golf & Country Club	3,745.00

Mid-State Int’l. Trucks	416.64
North American Salt	23,763.88
Rent-A-Flash	905.00
Scott Construction	133,219.20
Senn Blacktop	2,532.67
Steven’s Transmission	756.00
Viking Electric Supply	15.50
White Enterprises	43,304.82
Xcel Energy	48,544.35
<u>Parking Utility Claims</u>	
City Treasurer	\$ 927.73
Transmotive Auto Repair	205.15

LICENSES – MOTION was made by Solberg, seconded by Dickmann, and carried to approve the following licenses: **OPERATORS:** Dennis K. Spader.

SECONDHAND ARTICLE DEALER and SECONDHAND JEWELRY DEALER: Bonnie J. Trimble & Mary E. Gensen (Estate Emporium, 222 Main Street E.).

MOTION to approve the request from BlackOaks Restaurant LLC, Stephen P. Weber, Agent, for a Class “B” Beer and “Class B” Liquor license at 1705 Plaza Drive (Norske Kitchen) was made by Schwebs and seconded by Dickmann. MOTION was made by Brown, seconded by Riedel, and carried to suspend the rules to hear from Stephen Weber. Mr. Weber answered questions about his proposed business. ORIGINAL MOTION carried on the following roll call vote contingent on final inspection; agent completion of the bartender training class; and submittal of a copy of the Wisconsin Seller’s Permit: Ayes: Luther, Traxler, Sutherland, Dickmann, Schwebs, Solberg, Cruz, Beety and Mercil. Noes: Riedel and Brown.

MOTION to approve the application from Spare Investments III LLC, John P. Spare, Agent, for a Class “A” Beer license and a Cigarette license at 2302 South Broadway (J’s Circle C) was made by Solberg, seconded by Mercil, and carried on roll call vote with Riedel opposed.

MOTION to convene in closed session under Wisconsin Statutes 19.85 (1) (c), (e), and (g) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body had jurisdiction or exercises responsibility; deliberating or negotiating the purchase/sale of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved was made by Brown, seconded by Beety, and carried unanimously on roll call vote.

MOTION to return to open session was made by Solberg, seconded by Brown, and carried unanimously on roll call vote.

No action was taken.

MOTION to adjourn was made by Beety, seconded by Solberg, and carried.

JoAnn L. Kadinger, City Clerk